

**** E-filed June 16, 2011 ****

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PATRICK GRANNAN, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

ALLIANT LAW GROUP, P.C.,

Defendant.

No. C10-02803 HRL

**INTERIM ORDER RE: STIPULATED
SUBMISSION OF JOINT REQUEST
FOR ENTRY OF PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

[Re: Docket No. 21]

This is a putative class action law suit. Docket No. 1 (“Complaint”). Plaintiff Patrick Grannan (“Grannan”), on behalf of himself and all others similarly situated, sued defendant Alliant Law Group, P.C. (“Alliant”), for violating of the Telephone Consumer Protection Act (“TCPA”) by calling the putative class members on their cellular phones with autodialers and/or prerecorded voice messages without the class members’ prior express consent. Grannan alleged that Alliant was acting as a debt collector for its creditor clients when making these calls. Id. He sought statutory damages for all calls made in violation of the TCPA within four years of the filing of the complaint as well as injunctive relief prohibiting further calls that violate the statute. Id.

The parties have come to a settlement whereby Alliant, which is no longer in business, will pay \$1,000,000 to settle the claims of 137,981 purported class members. Docket No. 21-1 (“Stipulation of Settlement and Release”). This \$1,000,000 will make up the Settlement Fund. Id. §§ 5, 8.6. First out of the Settlement Fund will come administrative expenses, taxes, an \$8,500

1 incentive payment to Grannan, and attorney fees and costs. Id. The remaining amount will be
2 distributed pro rata to class members who timely submit valid claims. Id.

3 Upon review of the parties' Stipulated Submission of Joint Request for Entry of Preliminary
4 Approval of Class Action Settlement, the Court instructs Grannan to file a letter brief, not to exceed
5 four pages, explaining why an \$8,500 incentive payment is appropriate in this case.

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7 **IT IS SO ORDERED.**

8 Dated: June 16, 2011

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12 HOWARD R. LLOYD
13 UNITED STATES MAGISTRATE JUDGE
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C10-02803 HRL Notice will be electronically mailed to:

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Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.